**Law to protect witnesses**

*158. SHRI S.P.M. SYED KHAN: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that in the absence of a law to protect the rights of victims/witnesses, in many cases, crucial witnesses turn hostile, making the present laws useless;

(b) whether any committee has recommended enactment of a law giving protection to the witnesses;

(c) if so, the details thereof; and

(d) whether Government have any proposal to bring forth a Bill to protect witnesses' rights?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI S. REGUPATHY): (a) to (d) Though measurs are taken by the Investigating agencies/Prosecution to provide protection to witnesses on their own or sometimes at the instance of the courts, inadequacies of legal provisions in this regard have been noticed. The Law Commission as well as the Committee constituted under the Chairmanship of (Dr.) Justice V.S. Malimath to consider necessary measures to reform the Criminal Justice System in the country have aiscussed the problem of witnesses turning hostile and have recommended suggestions to address the problem.

The problem of witness turning hostile is being sought to be tackled through suitable amendments in the Indian Penal Code and the Criminal Procedure Code, 1973 *vide* the Criminal Law (Amendment) Bill 2003. The relevant provisions of the Bill in this regard are as under:—

(a) insertion of a new section 195A in IPC to provide for punishment for threatening or inducing any person to give false evidence.

(b) amendment to section 162 of Cr. PC providing that the statement made by a person to a Police Officer, if reduced to writing should be signed by the person making it and a copy of .the same should be given to the person signing it.

(c) insertion of a new section 164 A in Cr. PC to make it mandatory for recording of evidence of material witness(es) by Magistrate in an offence punishable with death or imprisonment for 07 years or more.

**Appointment of special envoy to deal with Naxal violence**

*159. SHRI S.M. LAUAN BASHA: Will the Minister of HOMEAFFAIRS be pleased to state:

(a) whether it is a fact that Government have evolved a proposal to appoint a Special Envoy to deal with different States on naxalite violence;

(b) if so, whether it is also a fact that this Special Envoy will try to bring diverse factions involved in naxalite violence to the conference table;

(c) the details of the role of Government in evolving a nation-wide formula for talks with various naxalite outfits;

(d) whether it is a fact that Government had also discussed this matter with the Andhra Pradesh Government; and

(e) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI SRIPRAKASH JAISWAL): (a) No, Sir.

(b) Does not arise.

(c) to (e) A Conference of Chief Ministers of naxalite affected States including Andhra Pradesh was convened by the Central Government at Hyderabad on 21.9.2004 to discuss *inter-alia* the issue of holding peace dialogue with the naxalite groups. During the Conference, the following was agreed to:

(i) If in its assessment a State finds the conditions conducive, it may hold peace talks with the naxal groups.

(ii) During the period of peace dialogue, the State would continue to perform its legal duties to protect the lives and property of all